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Director's Office
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In re Application of
LECHUGA, GABRIEL V.
Application No.: 09/735,342
Filed: December 12, 2000

DECISION ON PETITION

This is a decision on petitioner's request filed January 23, 2003 to review the holding of abandonment, mailed November 4, 2002. Petitioner alleges non-receipt of the Office Action mailed April 9, 2002. Accompanying the petition is a response to the Office Action mailed on April 9, 2002.

The petition is granted.

In support of the request, petitioner has provided a showing of non-receipt of the Office action in accordance with Official Gazette Notice 1156 O.G. 53 (November 16, 1993). MPEP 711.03(c)II.

In view of the above, the Notice of Abandonment mailed November 4, 2002 is in error and is hereby vacated. The holding of abandonment is withdrawn. Since applicant has filed a response to the Office Action with the petition, the application will be forwarded to the examiner for action.

Summary: Holding of Abandonment Withdrawn.

Richard A. Bertsch, Director
Technology Center 3700